

Table 1

Summary of Public Comment on Proposed Action to Make Section 749.2, Title 14, CCR, Permanent Re: Special Order Relating to Incidental Take of Xantus's Murrelet (*Synthliboramphus hypoleucus*) During Candidacy Period

Speaker/ Organization	Comment Format	Summary of Comment	Department Response
Eric Bowman, sport dive-boat owner, Ventura, CA	e-mail dated 08 April 2003	C-1. There are many days where the only night dives we are able to provide are at Anacapa island. This is due to wind, weather, swell and visibility issues.	From log books for 2000 and 2001, only 29 dive trips occurred at night at Anacapa Island during February through July. This is less than 3 percent of the total dive trips at all eight Channel Islands during this same period. In addition, Santa Cruz Island, the larger island to the west of and adjacent to Anacapa Island, provides a number of relatively secure anchorages during periods of inclement weather.
Eric Bowman, sport dive-boat owner, Ventura, CA	e-mail dated 08 April 2003	C-2. Never have we seen a Xantu Murrelet come in contact with our vessel at night. I have been working, running, and owning sport diving vessels for 17 years and allot of our business during the months you are proposing the closure are photographers and sightseers. My questions to the committee is where did they get the information that nightdiving creates a problem with these birds? No one came aboard our vessel to do any kind of study and we are by far the most active boat in the Ventura county area. What data do you have to back this up?	It is commonly known by seabird researchers and others that murrelets, like many other nocturnal seabirds, are attracted to lights at night. Small amounts of vessel lighting have been documented to cause parent-chick separation in the Channel Islands. Chicks will die if separated from their parents for an extended period of time. Murrelets can also collide with lighted vessels, resulting in injury or immediate death.
Eric Bowman, sport dive-boat owner, Ventura, CA	e-mail dated 08 April 2003	C-3. Would this issue even been considered if the squid fishery had not boomed in the last several years?	Even though the squid fishery uses more powerful lights to attract squid, most of the historical documentation involved murrelets being attracted to vessel deck lighting before the squid fishery boomed. So it is likely that this issue would have been considered, even in the absence of a squid fishery.

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Eric Bowman, sport dive-boat owner, Ventura, CA	e-mail dated 08 April 2003	C-4. The log books we fill out for DFG only ask where the majority of our fish were taken on any given day. It does not ask where we did our night dives. Night dives are not necessarily involve fishing. How did your groups get the data on how many dives took place at these island during this time?	The percentages of night-dive trips were estimated from log books using only multiple-day trips that recorded a Fish and Game block number associated with either Anacapa or Santa Barbara islands.
Eric Bowman, sport dive-boat owner, Ventura, CA	e-mail dated 08 April 2003	C-5. In closing I feel that the DFG has not properly done the correct research and not gathered the correct data to rule on this issue. Why should the small sport diving community suffer because a large commercial squid fleet is lighting up these islands like it is daytime? Please reconsider the proposed closure to sport diving.	Reject. As stated previously, even small amounts of vessel lighting has been documented to cause parent-chick separation in the Channel Islands.